IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 21ST AUGUST 2007 / 30TH SRAVANA 1929

WP(C).No. 20678 of 2007(J)

PETITIONER:

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1. SUNDARAN I.C., AGED 41 YEARS,
SON OF E.V.CHELLAPPANACHARI, RESIDING AT
ILLATHUPARAMBIL HOUSE, ELAVOOR P.O.,
ANGAMALY- 683 572.

2. SELVARAJ K.K., AGED 41 YEARS,
SON OF KUNJAPPAN, RESIDING AT KALLATU HOUSE,
KUNNAPPILLISSERI, PULIYAVANAM P.O.,
ANGAMALY 683 572.

3. VIJAYAN P.A., AGED 39 YEARS,
SON OF AYYAPPAN P.G., RESIDING AT PALLITHARA HOUSE
KUNNAPPILLISSERI, PULIYAVANAM P.O.,
ANGAMALY 683 572.

BY ADV. SRI.K.RAMAKUMAR
SRI.R.JAYACHANDRAN

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
CHIEF SECRETARY, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE SECRETARY TO DEPARTMENT OF HOME,
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.

3. THE DIRECTOR GENERAL OF POLICE,
THIRUVANANTHAPURAM.

4. THE MANAGER,
ST.ANTONY'S SCHOOL, ELAVOOR P.O.,
ANGAMALY 683 572.

5. MR.K.O.DAVIS, TEACHER,
ST.ANTONY'S SCHOOL, ELAVOOR P.O.,
ANGAMALY 683 572.

BY GOVERNMENT PLEADER SRI.GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS

EXT.P1: TRUE COPY OF THE FIR NO.156/07 DATED 20.02.07 OF THE KOTHAMANGALAM POLICE STATION.

EXT.P2: TRUE COPY OF THE LAWYER'S NOTICE DATED 1.5.07 SENT ON BEHALF OF THE PETITIONERS.

/TRUE COPY/

R.BASANT, J

W.P(C).No.20678 of 2007

Dated this the 21st day of August, 2007

JUDGMENT

The petitioners have filed this Writ Petition complaining about the inaccuracy in the time of occurrence recorded in the F.I.R in Crime No.156 of 2007 of Kothamangalam Police Station relating to the boat tragedy, which is known by the name `Thattekkadu Boat Tragedy'. The alleged incident, according to the petitioners, had taken place not at 5.20 p.m as incorrectly entered in the F.I.R. It had actually taken place much later, they allege. According to the petitioners, this shift in the timing has been made in the F.I.R only to oblige the persons who are culpably responsible.

2. Notice was given to the learned Government Pleader . The Investigating Officer has now filed a statement. In that statement it is reported that the F.I.Statement was recorded as given by the informant. But in the course of investigation it has now been realised that the time of occurrence was not by 5.20 p.m as recorded in the F.I.R, but actually it was 6.20 p.m. Report to that effect has already been made before the learned Magistrate concerned. A copy of that report is produced before this Court as Ext.R1(a).

3. In the light of the stand taken by the respondent and Ext.R1(a) report filed before the learned Magistrate having jurisdiction, the grievance made by the petitioners does not survive. This Writ Petition is accordingly dismissed as agreed.

(R.BASANT, JUDGE)

rtr/-